

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE COMMISSIONER OF COMMERCE

In the Matter of the Application of Donald
Miller, Leak Site No. 9132

FIRST PREHEARING ORDER

A prehearing conference was held via telephone conference call on Wednesday, February 7, 2001 at 1:40 p.m. Michael R. Vadnie, Attorney at Law, Schmidt & Lund, 11 North Seventh Avenue, St. Cloud, Minnesota 56303, appeared on behalf of the Applicant, Donald Miller. Patrick J. Driscoll, Assistant Attorney General, NCL Tower, Suite 1200, 445 Minnesota Street, St. Paul, Minnesota 55101-2130, appeared on behalf of the Department of Commerce.

Based upon discussions with counsel, IT IS HEREBY ORDERED as follows:

1. The Department shall file its Motion for Summary Disposition by March 7, 2001.
2. The Applicant shall file his response in opposition to the Department's Motion for Summary Disposition by March 21, 2001.
3. Oral argument concerning the Motion for Summary Disposition shall be heard on Friday, April 6, 2001, at 10:30 a.m. in the Courtrooms of the Office of Administrative Hearings, 100 Washington Avenue South, Suite 1700, Minneapolis, Minnesota.

Dated this 9th day of February, 2001.

BARBARA L. NEILSON
Administrative Law Judge